

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner's indication of the allowability of the subject matter of claims 4 and 5 is respectfully acknowledged.

These claims, however, have not been rewritten in independent form at this time since, as set forth in detail hereinbelow, it is respectfully submitted that their parent claim 1 also recites allowable subject matter.

THE CLAIMS

Claims 1, 3-5, 7, 8 and 17 have been amended only to make a few minor grammatical improvements and/or to correct some minor antecedent basis problems. No new matter has been added, and it is respectfully submitted that the amendments to claims 1, 3-5, 7, 8 and 17 are not related to patentability, and do not narrow the scope of the claims either literally or under the doctrine of equivalents.

In addition, new claim 20 has been added based on subject matter recited in claim 1; new claim 21 has been added based on claim 4; and new claim 22 has been added to recite the fixing member of claim 1. No new matter has been added, and it is

respectfully submitted that new claims 20-22 are readable on the elected group of claims.

It is respectfully requested that the amendments to claims 1, 3-5, 7, 8 and 17 and the addition of new claims 20-22 be approved and entered.

THE PRIOR ART REJECTION

Claims 1, 2, 6, 7 and 17 were rejected under 35 USC 103 as being obvious in view of the combination of JP 5-104706 ("Ikeda et al"), USP 6,688,741 ("Nishikawa") and USP 6,179,418 ("Mizoguchi et al"); claims 3, 8 and 9 were rejected under 35 USC 103 as being obvious in view of the combination of Ikeda et al, Nishikawa and Mizoguchi et al with one of USP 6,126,281 ("Shimoda et al"), USP 6,109,723 ("Castle et al"), and USP 6,902,266 ("Kaga et al"). These rejections, however, are respectfully traversed.

The Examiner has cited Ikeda et al for the disclosure of a drying member, but acknowledges that Ikeda et al does not disclose a temperature detecting member or humidity detecting member. Therefore, the Examiner has cited Mizoguchi et al to supply the missing teachings of Ikeda et al.

As recognized by the Examiner, Mizoguchi et al discloses detecting temperature and humidity. It is respectfully submitted, however, that even in combination with Ikeda et al, Mizoguchi et al does not disclose a drying member control section as recited in

independent apparatus claims 1 and 20 and independent method claim 17.

According to the claimed present invention as recited in independent apparatus claims 1 and 20, the drying member control section controls operation of the drying member in accordance with the temperature detected by the temperature detecting member and the humidity detected by the humidity detecting member. And as recited in independent method claim 17, an amount of dryness of the ink used for forming the image is adjusted after the forming step and before the fixing step, in accordance with a temperature and a humidity in the ink jet printer

By contrast, Mizoguchi et al discloses controlling a pressure roller (that is, the fixing means) in accordance with the temperature detected by the temperature detecting member and the humidity detected by the humidity detecting member (see column 3, lines 20-31 of Mizoguchi et al cited by the Examiner).

Accordingly, it is respectfully submitted that the logical combination of Mizoguchi et al with Ikeda et al would teach controlling the fixing unit, not the low temperature heater 107 (cited by the Examiner as a drying member) of Ikeda et al in accordance with a detected temperature and humidity.

It is respectfully submitted, therefore, that even if the teachings of Mizoguchi et al and Ikeda et al were combinable in the manner suggested by the Examiner, such combination would still

not achieve or render obvious controlling a drying member in accordance with the temperature detected by the temperature detecting member and the humidity detected by the humidity detecting member, as according to the claimed present invention.

Accordingly, it is respectfully submitted that the present invention as recited in each of independent claims 1, 17 and 20, as well as each of claims 2-9 and 21-22 respectively depending therefrom, clearly patentably distinguishes over all of the cited references, taken singly or in any combination under 35 USC 103.

* * * * *

In view of the foregoing, entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

Douglas Holtz
Reg. No. 33,902

Frishauf, Holtz, Goodman & Chick, P.C.
220 Fifth Avenue - 16th Floor
New York, New York 10001-7708
Tel. No. (212) 319-4900
Fax No. (212) 319-5101
DH:iv